

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

RAJESH DHARIA,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

Civil Action No. 24-10826 (SDW) (SDA)

WHEREAS OPINION

March 14, 2025

WIGENTON, District Judge.

THIS MATTER having come before this Court upon Defendant’s Motion to Dismiss (D.E. 5 (“Motion”)) *pro se* Plaintiff Rajesh Dharia’s (“Plaintiff”) Complaint (D.E. 1-1 (“Complaint”)) filed in New Jersey Superior Court, Middlesex County on March 19, 2024 and removed to this Court on November 29, 2024 (D.E. 1); and

WHEREAS this Court previously dismissed with prejudice Plaintiff’s prior action (“Dharia I”) alleging substantially the same facts on the grounds that Plaintiff lacked standing and raised non-justiciable political questions. *See Dharia v. United States*, No. 24-5915 (SDW) (LDW), 2024 WL 4626403 (D.N.J. Oct. 30, 2024); and

WHEREAS this Court’s prior opinion in Dharia I explicitly stated that the “dismissal is an adjudication of the merits and hence a bar to further litigation of the claim.” *Id.* at *1; and

WHEREAS the doctrine of claim preclusion is applicable here and bars this action from proceeding; and

WHEREAS this Court finds that the case is dismissible on several other grounds primarily laid out by Defendant in its Motion — namely that the United States has sovereign immunity, Plaintiff does not state a claim, and the statute of limitations has passed on any claim that Plaintiff may have; therefore

Defendant's Motion is **GRANTED** and the Complaint is **DISMISSED WITH PREJUDICE**. An appropriate order follows.

/s/ Susan D. Wigenton
SUSAN D. WIGENTON, U.S.D.J.

Orig: Clerk
cc: Parties
Stacey D. Adams, U.S.M.J.